REMARKS

The Examiner objects to claim 43. Claim 43 has been amended to overcome this objection.

The Examiner rejects claim 23 under 35 U.S.C.§112, second paragraph, as being indefinite. Claim 23 has been amended to overcome this rejection.

The Examiner rejects claims 1-18 under 35 U.S.C.§ 101 as being directed to unpatentable subject matter. Claim 1 has been amended to overcome this rejection.

The Examiner rejects claims 1-6, 8-14, 16-20, 24-32, 34-40, and 42-53 under 35 U.S.C.§103(a) as being unpatentable over Philonenko (U.S. 2002/0131399); claims 7, 15, 33, 41, and 54 under 35 U.S.C.§103(a) as being unpatentable over Philonenko in view of Spraetz, *"Out with the new, in with the old: A look at scheduling alternatives"* as applied to claims 1-6, 8-14, 16-20, 24-32, 34-40, and 42-53 above further in view of the IEX references; and claims 21-23 under 35 U.S.C.§103(a) as being unpatentable over Philonenko in view of the IEX references.

Applicant respectfully traverses the Examiner's rejections. The above-identified references fail to teach or suggest at least the following italicized limitations in the pending independent claims:

1. A method for allocating work items in a contact center, comprising:
(a) providing a set of resources operable to service a work item, the set of resources comprising a plurality of members;
(b) requesting, by a processor, at least some of the resources in the set of resources to submit a bid *to service the work item*;
(c) receiving, from at least one member of the set of resources, at least one bid *to service the work item*; and
(d) *based, at least in part, on the at least one bid, selecting, by the processor, a resource from among the set of resources to service the work item.*

21. A method, comprising:
maintaining, by a processor, a computer readable medium encoded with at least the following variables:
an identity of at least one work item;
a plurality of bids received from a plurality of human agents to service the at least one work item; and
for each received bid:
an identity of a human agent placing the bid; and
at least one of a value of the human agent and a value of the work item.

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24.   A contact center for servicing a plurality of contacts received from a plurality of customers, comprising:

a plurality of workstations corresponding to a plurality of resources;

a central server in communication with the plurality of workstations, comprising:

at least one queue of contacts; and

a bid item selecting agent operable to (a) request at least some of the plurality of resources to submit a bid to service at least one contact; (b) receive at least one bid to service the at least one contact; and (c) select a resource from among the plurality of resources to service the at least one contact.

45.   A contact center for servicing a plurality of contacts received from a plurality of customers, comprising:

a plurality of workstations corresponding to a plurality of resources;

a server in communication with the plurality of workstations, comprising:

at least one queue of contacts; and

a bid item selecting means for (a) requesting at least some of the plurality of resources to submit a bid to service at least one contact; (b) receiving at least one bid to service the at least one contact; and (c) selecting a resource from among the plurality of resources to service the at least one contact.

Philonenko is directed to a routing system for routing communication events. At paragraphs [0149] to [0158], an embodiment using an auction-type environment for prioritized routing is described. Clients can, through promise of contribution or through instant contribution, advance their position in queue in terms of both generic priority levels and specialized priority levels.

The remaining references discuss the use of schedule bidding in contact centers. In schedule bidding, employees select, or bid, on the working shifts they prefer from a master list of all possible schedules. A typical b id is based on seniority.

The above references fail to teach the claimed invention. Unlike the prior art, the claimed inventions accepts bids from agents or other contact center resources for the opportunity to service a customer contact or other type of work item. The claimed invention is not directed to agents bidding for a work schedule, as in the Spraetz and IEX references. Neither in the claimed invention do customers bid for priority levels as in Philonenko.

Accordingly, the pending claims are allowable.

The dependent claims provide further allowable distinctions over the above-identified prior art.

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By way of example, dependent claim 2 requires the set of resources to include a plurality of resources external to the contact center, wherein the at least one member of the set of resources is a plurality of members of the set of resources, wherein the work item is a contact from a customer, wherein the work item is in a queue of multiple work items, and wherein the selected resource is one of the plurality of members. *See* claims 25 and 46.

Dependent claim 3 requires:

identifying a subset of resources from among the set of resources qualified to service the work item; and wherein, in the requesting step, a bid request is provided to each of the resources in the subset of resources. *See* claims 29 and 50.

Dependent claim 4 requires the requesting, receiving and selecting steps to be performed only during a first operational mode in which bidding is performed and not in a second operational mode in which bidding is not performed, the first and second operational modes being temporally discrete from each other. *See* claims 30 and 51.

Dependent claim 5 requires:

monitoring at least one queue of work items, the at least one queue of work items corresponding to a first set of resources for servicing work items in the at least one queue; and

applying the following rules to the results of the monitoring step:

when a predetermined workload level exists in the at least one queue, performing steps (b) through (d); and

when a predetermined workload level does not exist in the at least one queue, not performing steps (b) through (d). *See* claims 31 and 52.

Dependent claim 6, which depends from claim 5, requires the predetermined workload level to exist when there is a likelihood that a service goal for at least one work item in the at least one queue will not be satisfied in the absence of bidding. *See* claims 32 and 53.

Dependent claim 7 requires the requesting step to include:

determining a time interval for performance of steps (b) through (d). *See* claims 33 and 54.

Dependent claim 8 requires the monitoring step to include:

determining, from the at least one queue, a representation of a required queue for at least one goal to be realized for each work item in the at least one queue. *See* claim 34.

Dependent claim 9, which depends from Claim 8, requires the predetermined workload level to exist when a queue position in the required queue is less than a number of work items ahead of the queue position in the required queue. *See* claim 35.

Dependent claim 10, which depends from Claim 5, requires:

determining a time when the predetermined workload level will likely exist. *See* claim 36.

Dependent claim 11, which depends from Claim 5, requires:

determining a number and identities of work items to be presented for bidding to the set of resources. *See* claim 37.

Dependent claim 12 requires the selecting step to include:

comparing the received bids with a maximum acceptable bid. *See* claim 38.

Dependent claim 13 requires the selecting step to include:

determining, for each bidding resource, a composite value reflecting a plurality of a work item value, a resource value and a bid; and

comparing the determined composite values to select a resource to service the work item. *See* claims 22-23 and 39.

Dependent claim 14 requires, after the receiving step:

determining whether or not a workload level for the contact center requires the work item that is the subject of the received bids to be serviced by a resource in the set of resources. *See* claim 40.

Dependent claim 15, further requires after the selecting step:

displaying the selected bid and/or information associated with the selected bid to at least some resources in the set of resources; and

receiving additional bids after the displaying step. *See* claim 41.

Dependent claim 16 requires at least some of the resources to be human agents, wherein the members of the set of resources are not employees of the contact center, wherein the members of the set of resources are not subscribers to an enterprise network defined by the contact center, and wherein steps (b)-(d) are performed when a second set of resources is unable to service the contact as required by contact center policies, objectives, and/or goals, the second set of resources being employees of the contact center and subscribers of the enterprise network. *See* claims 28 and 42.

Dependent claim 17 requires the bid to be at least one of a monetary service fee, a service time, an opportunity cost to the contact center for servicing the work item, and an overhead cost to the contact center for servicing the work item. *See* claim 43.

Dependent claim 18 requires a plurality of work items to be put out for bid and further comprising:

dynamically varying a bidding time for each of the plurality of work items. *See* claim 44.
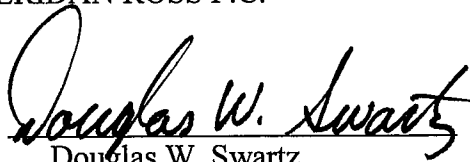
Dependent claim 27 requires the central server to include a workload monitoring agent operable to monitor the at least one queue of contacts and determine, for each contact, at least one of a bid start time, a bidding process duration, and a bid completion time.

Based on the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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